United Nations

Daily Highlights

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WEDNESDAY HIGHLIGHTS

• International Tribunal for war crimes in former Yugoslavia could be created by Security Council resolution under Chapter VII of United Nations Charter, according to United Nations Legal Counsel; tribunal proposed by Secretary-General would deal with "ethnic cleansing", rape and other grave breaches of international humanitarian law.

• NATO is urged by Lord Owen, Co-Chairman for Yugoslav Conference, to conclude its planning exercise for Bosnia and Herzegovina as quickly as possible; calls for earliest possible deployment of troops there to implement peace plan.

• United Nations/OAS International Civilian Mission in Haiti seriously concerned over numerous and grave violations of human rights in that country, according to press release issued in New York and Port-au-Prince.

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The establishment of an international tribunal to prosecute war crimes in the former Yugoslavia on the basis of a Security Council resolution under Chapter VII of the United Nations Charter would be legally justified, United Nations Legal Counsel Carl-August Fleischhauer told correspondents today. In the normal course of events, such a body would be established by an international treaty or convention. However, Security Council resolution 808 (1993) had expressed the need for a tribunal which could become immediately effective.

The tribunal proposed by the Secretary-General in his report to the Council, dated 3 May, would deal with grave breaches of the 1949 Geneva Conventions, violations of the laws and customs of war, genocide and crimes against humanity, according to Mr. Fleischhauer. Its jurisdiction would thus cover all grave breaches of international humanitarian law in the former Yugoslavia, including "ethnic cleansing" and rape.

Persons committing such violations would be individually responsible; immunity would not bar prosecution, and superior orders would be no defence, he noted. There would be no trials in absentia. The tribunal could only

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impose sentences of imprisonment, as the death penalty was in dispute in Member States and in United Nations bodies.

States would be obliged to take whatever action was required to carry out the resolution creating the tribunal, Mr. Fleischhauer pointed out. The international tribunal proposed by the Secretary-General could work; whether it would work would depend on the will of the international community to follow the matter through.

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In Brussels today, the North Atlantic Treaty Organization (NATO) was urged by Lord Owen, Co-Chairman for the International Conference on former Yugoslavia, to conclude its planning exercise for the Secretary-General as quickly as possible, according to his spokesman, Fred Eckhard. Lord Owen also called for the earliest possible deployment of troops in Bosnia and Herzegovina to implement the peace plan.

Lord Owen held meetings today in the Belgian capital with NATO Secretary-General Manfred Worner and with representatives of NATO countries.

Meanwhile, Cyrus Vance, who is continuing his efforts to resolve the outstanding differences between Greece and the former Yugoslav Republic of Macedonia, met today at Headquarters with the Mecedonian Deputy Prime Minister and Acting Foreign Minister. Next week, the Foreign Minister of Greece and the Macedonian President would both be in New York for talks with the Co-Chairmen, the spokesman said.

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The International Civilian Mission in Haiti, a joint undertaking by the United Nations and the Organization of American States (OAS), is seriously concerned over the numerous and grave violations of human rights it has encountered in that country, according to a press release issued simultaneously in New York and Port-au-Prince by the Mission. The Mission has informed the Commander-in-Chief of the Haitian Armed Forces of its concern.

The Mission, which is mandated to verify respect for human rights, has also protested strongly to the military authorities the impediments it has experienced regarding direct and immediate access to places of detention.

The most serious human rights violations observed had been arbitrary detentions, systematic beatings and torture inflicted by members of the security force and those associated with them, the press release said. The Mission had also received information concerning cases of death following torture inflicted while in detention. The objective of such violations of the integrity and security of the person was to restrict, obstruct and deny freedom of opinion and expression, freedom of peaceable assembly and association.

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The Mission also reported numerous other cases of people harrassed and often beaten for simply having written or shouted slogans, for possessing pictures of President Aristide or for listening to foreign radio stations. Many journalists had been either harrassed, detained or threatened with the intent of obstructing the free exercise of their trade. Such actions violate fundamental rights recognized by the Haitian Constitution, the press release stressed.

In a related development, the Government of Japan has contributed $1 million to the Trust Fund for Haiti, recently established by the Secretary-General to meet costs of the International Civilian Mission, a United Nations spokesman said today.

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THURSDAY HIGHLIGHTS

+ Security Council declares Sarajevo, Tuzla, Zepa, Goradze, Bihac and Srebrenica "safe areas" from armed attacks; authorizes deployment of additional 50 United Nations military observers to monitor those areas.

+ Secretary-General believes that negotiations on peace agreement for Bosnia and Herzegovina will continue and that "current difficulties" will be overcome.

+ General Assembly appropriates $2.47 billion for 1992-1993; Fifth Committee budget estimates revised due to Secretary-General's restructuring of Secretariat.

+ Russian Federation will make available 500 men to joint peace-keeping force in Tajikistan made up of troops from Kazakhstan, Kyrgyzstan and Uzbekistan.

+ Dr. Hiroshi Nakajima is appointed to second five-year term as WHO Director-General, as World Health Assembly continues its forty-sixth session in Geneva.

+ International Narcotics Control Board begins two-week session in Vienna to discuss effective implementation of drug control treaties; aims to prevent diversion of drugs to illegal uses.

+ William Draper resigns as UNDP Administrator effective 15 July; Secretary-General thanks him for seven years of service to United Nation system.

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The Security Council today declared that Sarajevo, the capital city of Bosnia and Herzegovina, and the towns of Tuzla, Zepa, Goradze, Bihac, as well as Srebrenica, should be treated as "safe areas" by all parties concerned and should be free from armed attacks or any other hostile act. By adopting resolution 824 (1993) unanimously, the Council also demanded that any taking of territory by force cease immediately.

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The Council demanded an immediate end to hostilities and the withdrawal of all Bosnian Serb military or paramilitary units to a safe distance from those towns to allow United Nations military observers to monitor their security. To that end, the Council authorized the immediate strengthening of the United Nations Protection Force (UNPROFOR) by an additional 50 United Nations military observers.

The Council also demanded free and unimpeded access for international humanitarian agencies and UNPROFOR to all safe areas in Bosnia and Herzegovina, and full respect by all parties for the safety of United Nations personnel.

The Council declared its readiness, if any party failed to comply with its demands, to consider immediately additional measures to ensure respect for the safety of United Nations personnel. It further asked the Secretary-General to take measures for the monitoring of the humanitarian situation in the safe areas.

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Secretary-General Boutros Boutros-Ghali, in a statement issued today after the Bosnian Serb Assembly rejected the Vance/Owen peace plan, said that "the last word has not been spoken by the Serbs". He expressed the conviction that there would be more negotiations, and that efforts would continue to overcome the current difficulties to obtaining agreement on the peace plan.

Thorvald Stoltenberg, Cyrus Vance's successor as Co-Chairman of the International Conference on the Former Yugoslavia, met today with representatives of the five Permanent Members of the Security Council -- the United States, the United Kingdom, France, Russia Federation and China, according to a United Nations spokesman. The Co-Chairmen - Lord Owen and Mr. Stoltenberg - were expected to travel to Belgrade tomorrow to consult on what next steps to take.

In the field, General Morillon, Commander of the United Nations Protection Force (UNPROFOR) in Bosnia and Herzegovina, had negotiated an agreement for a cessation of hostilities in Zepa, the deployment of United Nations military observers and the establishment of a safe area, the spokesman said.

In a related development, the field staff of Tadeusz Mazowiecki, the Special Rapporteur on the human rights situation in former Yugoslavia, has been conducting investigations of recent events in Bosnia and Herzegovina for several days. The staff is expected to submit its findings to the Commission on Human Rights shortly.

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The General Assembly today appropriated $2,467,458,200 for the United Nations budget for the biennium 1992-1993. It did so by adopting, without a vote, a resolution recommended by the Fifth Committee (Administrative and

Budgetary) on revised estimates arising from the restructuring of the Secretariat.

The Assembly generally approved the Secretary-General's proposals on restructuring, which envisage the establishment of new Secretariat structures at Headquarters and relocations with implications for programmes, finance and personnel.

In addition, a decision was adopted affirming that the conditions of service and compensation for officials serving the General Assembly should be separate from those for officials of the Secretariat. The Assembly also decided to commit $150,000 under the 1992-1993 programme budget for administrative support of the United Nations regional centres for peace and disarmament.

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The Russian Federation has decided to make available 500 men to a joint force for the maintenance of peace in Tajikistan made up of troops from Kazakhstan, Kyrgyzstan and Uzbekistan.

According to a letter to the President of the Security Council from the Russian Permanent Representative to the United Nations, Y. Vorontsov, the Russian Supreme National Council had adopted a resolution on "the participation of a Russian military contingent in the joint forces for the maintenance of peace in Tajikistan". The operation will start once the relevant agreements have been concluded with the countries concerned.
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Dr. Hiroshi Nakajima has been appointed by the forty-sixth World Health Assembly to a second five-year term as Director-General of the World Health Organization (WHO). His current five-year term of office ends on 21 July. He had been nominated for the position by the WHO Executive Board at its ninety-first session in January.

Dr. Nakajima was appointed to the post of WHO Director-General by the forty-first World Health Assembly on 4 May 1988, succeeding Dr. Halfdan Mahler.

The forty-sixth World Health Assembly began in Geneva on Monday, 3 May. It elected as its President, Claes Ortendahl, Director-General of the National Board of Health and Welfare of Sweden.

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The effective implementation by Governments of three international drug control treaties will be discussed by the International Narcotics Control Board at its fifty-fourth session, which opened yesterday in Vienna. Those

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treaties are the 1961 Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances and the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

During its two-week session, the Board will discuss the supervision of legal commerce in narcotic drugs, psychotropic substances and the chemicals used to manufacture them, to help prevent their diversion to illegal uses. It will make recommendations for Government action on international drug control, and will review Governments' policies on the use of drugs for non-medicinal purposes. Because of the special character of the Board's deliberations, its proceedings are confidential.

The International Narcotics Control Board is an independent body whose 13 members are elected by the Economic and Social Council. Its new President is A. Hamid Ghodse of Iran.

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William Draper, the Administrator of the United Nations Development Programme (UNDP), has tendered his resignation to Secretary-General Boutros Boutros-Ghali effective 15 July, a United Nations spokesman said today.

The Secretary-General expressed thanks for Mr. Draper's seven years of service to the United Nations.

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